CLERK'S OFFICE U.S. DIST. COURT AT DANVILLE, VA FILED-To-

OCT 2 5 2005

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JOHN F. CORCORAN, CLERK BY: HMC Dangled DEPUTY CLERK

KEVIN NEWMAN)	DEPUTY CLERK
Petitioner,)	Case No. 7:05CV00311
)	
v.)	FINAL ORDER
)	
GERALD K. WASHINGTON, WARDEN,)	By: Hon. Jackson L. Kiser
Respondent.)	Senior United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

ORDERED

that the respondent's motion to dismiss shall be **GRANTED**, and the petition shall be stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 25th day of October, 2005.

Senior United States District Judge